

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROGER ALLEN YBARRA
BERGER,

Defendant.

CR-13-36-BLG-SEH-RKS

FINDINGS AND
RECOMMENDATIONS
CONCERNING PLEA

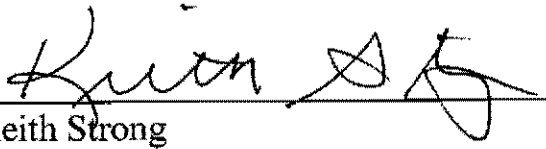
The Defendant, by consent, has appeared before me under Fed. R. Crim. P. 11 and has entered Plea to Count I of the Indictment.

After examining the Defendant under oath, the Court determined that the guilty Plea was knowingly, intelligently, and voluntarily entered; that the Defendant fully understands his constitutional rights and the extent to which such rights are waived; and that the offense charged and to which a guilty Plea was entered contained each of the essential elements of the offense.

NOTICE: Objections to these Findings and Recommendation are waived unless filed and served within 14 days. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P 59(b)(2).

The Court further concludes that the Defendant had adequate time to review the Plea Agreement with counsel, that he fully understands each and every provision of the agreement and that all of the statements in the Plea Agreement are true. I recommend that the Defendant be adjudged guilty and that sentence be imposed. A presentence report has been ordered.

DATED this 14th day of November, 2013.


Keith Strong
United States Magistrate Judge